

**REMARKS**

Claims 1-18 are pending in the application of which Claims 1 and 8 are independent. All claims have been rejected. This rejection is respectfully traversed and reconsideration is requested.

**Rejection Under 35 U.S.C. 103**

Claims 1 - 14 have been rejected under 35 U.S.C. § 103 as being unpatentable over Skinner et al. (U.S. Patent No. 6,185,514) in view of Tran (U.S. Patent No. 5,991,742) and further in view of Kuroiwa et al. (U.S. Patent No. 5,960,063) and Sprague et al. (U.S. Patent No. 5,247,575). Applicant responds as follows.

The patent to Skinner et al (U.S. Patent No. 6,185,514) is directed to "A method and system for automatically collecting and for analyzing information about time and work performed on a computer includes a hardware abstraction layer for monitoring activity on various user input devices." (See Abstract)

By contrast, the present invention focuses on time and work performed that is not done on a computer and/or time and work done on a computer that does not contain the software described in Skinner et al. For example, the Skinner et al. patent would not be relevant or applicable for an elevator repairman making service calls. Nor could the Skinner et al. patent be used by someone working on a computer that does not have the software loaded. (Say, for example, an end user of the Skinner software temporarily works off his spouse's computer that does not have the Skinner software. The Skinner et al. approach becomes inapplicable.)

Further, the present invention provides for real-time feedback to the user (exchange between user and database), prompting the user regarding the time and expense information reported and confirmation of the same. See Specification page 3, lines 20-27 and page 5, lines 11-28 as originally filed. For example, the elevator repairman calling in his time and expense information from a service call job assignment would confirm the information he inputted via voice. Skinner has none of these features or benefits.

The present invention is also interactive, providing the user the opportunities to modify (edit) data and obtain information. See Specification page 3, lines 24-26; page 10, lines 25-26; page 12, lines 25-29 and the example beginning at page 16, line 26 through page 20, line 6 and

corresponding to Fig. 5. By contrast, the Skinner et al. device monitors computer users and measures the amount of work done, without the users' intervention and, indeed, intent. Users do not interact directly with the Skinner et al. device and, indeed, one of the premises of the Skinner et al. device is that users' time and amount of work done are tracked automatically. Unlike the present invention, users do not initiate time and expense reports with Skinner et al.

Two other key differences between Applicant's invention and Skinner et al. is that first, the present invention has the capability to prompt users via a phone call reminder to provide time and expense information (Specification page 3, lines 4-7 as originally filed), while Skinner et al. simply collects via background monitoring time-related work done on a specific computer. Second, the present invention provides for optional advertising sponsorship (individually targeted messages) via voice messages that users would hear when communicating with the invention's system, while Skinner has no such feature. See Specification page 3, lines 9-14 as originally filed.

The present invention also differs substantially from Tran (U.S. Patent No. 5,991,742). The Tran system provides for a handwriting recognizer or a speech recognizer, but both are contained in the input device which contains a microprocessor and stores the information in the input device memory for transfer to a computer system via docking. See column 2, lines 20-30; column 3, lines 7-16; column 4, lines 11-22; column 5, lines 9-40 and column 9, lines 38-54. The Tran system, thus, is dependent on a "smart" handheld device that holds the data. A user is, thus, required, to take an extra action by transferring the data to an accounting system via a docking station.

By contrast, the input device for speech recognition functionality in the present invention is a telephone, either wireless or land line, that is connected over a communication line directly to the computer system that processes the voice commands and transfers the data to an accounting system. There is no interim step of storing the information in the memory of the input device with this invention. Nor is there the interim step of transferring the information via a docking station.

In further contrast to Tran, the present invention provides for feedback to (exchange of information with) the user, prompting the user regarding the time and expense information reported and confirmation of the same. See page 3, lines 20-25; page 5, lines 11-28 and page 10,

lines 21-26 as originally filed. Tran also does not provide interactivity for the user in terms of providing opportunities to modify (edit) data and obtain information as cited above at least with reference to Fig. 5 and corresponding description at page 16, line 26 - page 20 line 16 as originally filed.

Tran also differs from the present invention by not providing optional advertising sponsorships to support the service (Specification page 3, lines 9-14), and by not providing language translation services (Specification page 3, lines 22-27 and page 5, line 28 - page 6 line 2 as originally filed). For example, with the present invention, someone speaking the Spanish language can record time and expense information in Spanish and the system will automatically translate that information into English or another language that is used by the user's company. He could also get information about his time, expenses, and work assignments in Spanish. Tran does not provide for language translations of inputted data from the user, nor does it provide for information from a user's company to be translated to the language in which the user is speaking/using when providing feedback to (exchange of information with) the user as in the present invention.

The patent to Kuroiwa et al. (U.S. Patent No. 5,960,063) discloses a telephone voice recognition system for automated dialing and is quite different than the present invention that relates to the capture, tracking, and management of accounting data using natural language speech recognition.

More specifically, the present invention is interactive with the user including prompting services for capturing time and expense information, feedback to confirm information provided by users as well as language translation services. See Specification page 2, line 27 through page 3, line 8; page 3 lines 20-24; and page 5, line 11 - page 6, line 2, as originally filed.

Thus, it would not have been obvious to a person of ordinary skill in art of speech processing at the time of this invention to apply the method/teachings of Tran to the device/method of Skinner et al so as to enable "hands-free" operation. Please consider the following:

- a. The Skinner et al. device is designed only for monitoring time and work activities done on a specific computer or computers. The user must have the Skinner et al. software loaded on the computer he is using and, the Skinner et al. device, thus, could, by its own definition, not

be used in a "hands-free" operation. By contrast, the present invention is for all types of work activities and expenses and provides for communication of data and information using a wireless or landline phone via a communications line.

b. The Tran device is designed specifically for collection of time and expense information via a handheld device that is then docked with a computer for transfer of data. The present invention use of a communications line for sending the information effectively eliminates the need for the handheld device for recording of time and expense information, since a telephone would be used as the input device. By providing voice input via a communications line, the Tran device would, by definition, make itself obsolete by requiring users to have both a handheld device for recording information with a handwriting recognizer and a telephone for sending information to a computer system that contains voice recognition functionality. Additionally, users could potentially have difficulty in reconciling information recorded with handheld device and uploaded with information that is sent via the communications line.

c. Kuroiwa et al. is for automated dialing of a telephone and does not cure the shortcomings of Skinner et al. and Tran above as related to the present invention.

d. Even if combined, none of the cited references provide the capability to prompt users to record time and expense information and confirm information in an exchange between user and system (database) as in the present invention.

e. Lastly, none of the cited art provide for language translation capabilities with the input of time and expense information and for users to obtain real-time feedback (exchange of) information in their native languages as in the present invention. Likewise none of the cited art provide the individually targeted message (or advertising) feature of the present invention.

Sprague et al. '575 is described in its "Background of The Invention," section as relating "to the provision of information services to multiple users and, specifically, to a method and apparatus for distributing information to users in the field and for accounting financially for the information distributed to, and selected and received by each user." By contrast, the present invention relates to the capture, tracking and management of accounting data using natural language speech recognition. It does not include any capability for billing unlike Sprague et al., nor is the primary intention of the present invention to provide information services like those described in Sprague et al. to multiple users in the field.

Sprague *et al.* does refer to a call to a user initiated by the system, however, that call is not prompting to the user, because no response from the user is expected. Therefore, Sprague *et al.* does not supplement the failure of the previous references to teach various methods of prompting the user for response.

Furthermore, it would not have been obvious to a person of ordinary skill in art of speech processing at the time of this invention to apply the method/teachings of Sprague *et al.* to the device/method of Skinner *et al.* to provide management status on a timely basis by eliminating the delay of scheduled paper report delivery. Please consider the following:

a. The Sprague *et al.* patent does not provide users the capability to obtain reports on their own activities. Sprague *et al.* does not provide natural language speech recognition and it does not provide a telephone as the primary input device for the data that is used in the reports and information distributed to users. By contrast, the present invention provides those features and benefits.

b. The Skinner *et al.* patent does not provide users the capability of obtaining reports; nor does it provide the capability for tracking and management of expenses. It is designed to monitor work activities on a specific computer or computers in Skinner *et al.* Users cannot obtain information and reports when away from their computers in Skinner *et al.* By contrast, the present invention provides those features and benefits.

As such no combination of Skinner *et al.*, Tran, Kuroiwa *et al.* and Sprague *et al.* implies, suggests or makes obvious the present invention as now claimed in base Claims 1 and 8. The patentably distinguishing claim language reads "...using an automated voice interface to the database over a communication line, prompting a user to enter accounting data by speaking...wherein said prompting includes at least one of (i) initiating a call to the user, (ii) asking the user to confirm information and (iii) prompting for information one data point at a time, such that the step of prompting provides an exchange of information between the user and the database". The dependent claims follow. Thus it is believed that the rejection of Claims 1 - 14 under § 103 in view of Skinner *et al.*, Tran, Kuroiwa *et al.* and Sprague *et al.* ('575) is overcome and withdrawal of this rejection is respectfully requested.

Claims 15 and 17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Skinner *et al.* in view of Tran and further in view of Kuroiwa *et al.* and further in view of

Sprague *et al.* '575 and further in view of Gomyo *et al.* (U.S. 5,930,772 A). This rejection is respectfully traversed and reconsideration is requested.

As discussed above, the combination of Skinner *et al.*, Tran, Kuroiwa *et al.* and Sprague does not render Claims 1 and 8 obvious. Claims 15 and 17 depend on Claims 1 and 8, respectively. Gomyo *et al.* does not supplement those teachings in such a way as to render Claims 15 and 17 unpatentable.

Furthermore, Gomyo does not teach or suggest a system where prompting a user and storing the user's words involves translating between different languages. Gomyo *et al.* merely mentions that an accounting system may be used for "services provided through a WWW server, for example, computation services, translation services...etc." (Column 13, lines 1-3). Such mention is not at all suggestive of translating words spoken by the user before storing them in a database. Therefore, Claims 15 and 17 are not obvious in view of the combination of the above references.

Claims 16 and 18 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Skinner *et al.* in view of Tran and further in view of Kuroiwa *et al.* and further in view of Sprague *et al.* '575 and further in view of Gaechter *et al.* (U.S. 5,463,685 A). This rejection is respectfully traversed and reconsideration is requested.

As discussed above, the combination of Skinner *et al.*, Tran, Kuroiwa *et al.*, and Sprague does not render Claims 1 and 8 obvious. Claims 16 and 18 depend on Claims 1 and 8, respectively. Gaechter *et al.* does not supplement those teachings in such a way as to render Claims 16 and 18 unpatentable. Specifically, Gaechter *et al.* does not add the claimed "prompting" of the present invention.

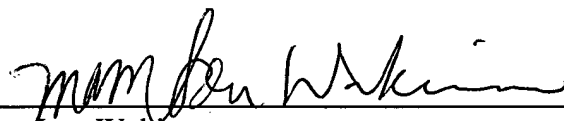
Therefore, it is respectfully submitted that the combination of the above references does not render any of the claims obvious. All claims are now believed to be in condition for allowance.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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